

## **§ 545.101**

- 545.509 Transactions related to mail authorized.
- 545.510 Importation of household and personal effects authorized.
- 545.511 Registration of nongovernmental organizations for humanitarian or religious activities.
- 545.512 Payment of obligations to U.S. persons authorized.
- 545.513 Provision of certain legal services authorized.
- 545.514 Payments for services rendered by the Taliban to aircraft.
- 545.515 Certain transactions related to patents, trademarks, and copyrights authorized.
- 545.516 Certain payments to or from the territory of Afghanistan controlled by the Taliban.
- 545.517 Authorization of emergency medical services.
- 545.518 Investment and reinvestment of certain funds.
- 545.519 Payments and transfers authorized for goods and services exported to the territory of Afghanistan controlled by the Taliban prior to the effective date.
- 545.520 Noncommercial personal remittances to and from the territory of Afghanistan controlled by the Taliban.
- 545.521 Transactions related to U.S. citizens residing in the territory of Afghanistan controlled by the Taliban.
- 545.522 Operation of accounts.
- 545.523 Extensions or renewals of letters of credit authorized.
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- 545.525 Certain services related to participation in various events and activities authorized.
- 545.526 Certain imports for diplomatic or official personnel authorized.
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## **31 CFR Ch. V (7–1–08 Edition)**

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**SOURCE:** 66 FR 2729, Jan. 11, 2001, unless otherwise noted.

### **Subpart A—Relation of This Part to Other Laws and Regulations**

#### **§ 545.101 Relation of this part to other laws and regulations.**

This part is separate from, and independent of, the other parts of this chapter, with the exception of part 501 of this chapter, the recordkeeping and reporting requirements and license application and other procedures of which apply to this part. Actions taken pursuant to part 501 of this chapter with respect to the prohibitions contained in this part are considered actions taken pursuant to this part. Differing foreign policy and national security circumstances may result in differing interpretations of similar language among the parts of this chapter. No license or authorization contained in or issued pursuant to those other parts authorizes any transaction prohibited by this part. No license or authorization contained in or issued pursuant to any other provision of law or regulation authorizes any transaction prohibited by this part. No license contained in or issued pursuant to this part relieves the involved parties from complying with any other applicable laws or regulations.

### **Subpart B—Prohibitions**

#### **§ 545.201 Prohibited transactions involving blocked property.**

(a) Except as otherwise authorized by regulations, orders, directives, rulings, instructions, licenses, or otherwise, and notwithstanding any contract entered into or any license or permit granted prior to the effective date, property or property interests of the following persons that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of U.S. persons are blocked,

and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

- (1) The Taliban; and
- (2) Persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General:
  - (i) To be owned or controlled by, or to act for or on behalf of, the Taliban; or
  - (ii) To provide financial, material, or technological support for, or services in support of, any of the foregoing.

NOTE TO PARAGRAPH (a) OF § 545.201. Please refer to the appendices at the end of this chapter V for listings of persons designated pursuant to this section. Section 501.807 of this chapter V sets forth the procedures to be followed by persons seeking administrative reconsideration of their designation or who wish to assert that the circumstances resulting in designation no longer apply. Similarly, when a transaction results in the blocking of funds at a financial institution pursuant to this section and a party to the transaction believes the funds to have been blocked due to mistaken identity, that party may seek to have such funds unblocked pursuant to the administrative procedures set forth in § 501.806 of this chapter.

(b) Except as otherwise authorized, and notwithstanding any contract entered into or any license or permit granted prior to the effective date, any transaction or dealing by U.S. persons or within the United States in property or interests in property blocked pursuant to paragraph (a) of this section is prohibited, including the making or receiving of any contribution of funds, goods, or services to or for the benefit of the Taliban or persons designated pursuant to § 545.201(a).

(c) Unless otherwise authorized by this part or by a specific license expressly referring to this section, any dealing in any security (or evidence thereof) held within the possession or control of a U.S. person and either registered or inscribed in the name of or known to be held for the benefit of any person whose property or interests in property are blocked pursuant to this section is prohibited. This prohibition includes but is not limited to the transfer (including the transfer on the books of any issuer or agent thereof), disposition, transportation, importation, exportation, or withdrawal of any

such security or the endorsement or guaranty of signatures on any such security. This prohibition applies irrespective of the fact that at any time (whether prior to, on, or subsequent to January 11, 2001) the registered or inscribed owner of any such security may have or might appear to have assigned, transferred, or otherwise disposed of the security.

**§ 545.202 Effect of transfers violating the provisions of this part.**

(a) Any transfer after the effective date that is in violation of any provision of this part or of any regulation, order, directive, ruling, instruction, or license issued pursuant to this part, and that involves any property or interest in property blocked pursuant to § 545.201(a), is null and void and shall not be the basis for the assertion or recognition of any interest in or right, remedy, power, or privilege with respect to such property or property interests.

(b) No transfer before the effective date shall be the basis for the assertion or recognition of any right, remedy, power, or privilege with respect to, or any interest in, any property or interest in property blocked pursuant to § 545.201(a), unless the person with whom such property is held or maintained, prior to that date, had written notice of the transfer or by any written evidence had recognized such transfer.

(c) Unless otherwise provided, an appropriate license or other authorization issued by or pursuant to the direction or authorization of the Director of the Office of Foreign Assets Control before, during, or after a transfer shall validate such transfer or make it enforceable to the same extent that it would be valid or enforceable but for the provisions of the International Emergency Economic Powers Act, this part, and any regulation, order, directive, ruling, instruction, or license issued pursuant to this part.

(d) Transfers of property that otherwise would be null and void or unenforceable by virtue of the provisions of this section shall not be deemed to be null and void or unenforceable as to any person with whom such property was held or maintained (and as to such